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A-4

Inventors: Huang, Reed, Deveraux, Maeda, and Hammock  
Serial No.: 10/041,859  
Filed: January 7, 2002  
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### DECLARATION FOR PATENT APPLICATION

As the below-named inventors, along with deceased inventor Susumu Maeda, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled INHIBITOR OF APOPTOSIS PROTEINS AND NUCLEIC ACIDS AND METHODS FOR MAKING AND USING THEM, the specification of which was filed on January 7, 2002 as Application Serial Number 10/041,859, Attorney Docket No. 087102-027 2537.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby claim the benefit under Title 35, United States Code §119(e) of the United States provisional application(s) listed below, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 that became available between the filing date of the prior application(s) listed below and the filing date of this non-provisional application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/260,478	January 8, 2001	Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

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Inventors: Huang, Reed, Deveraux, Maeda, and Hammock  
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were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

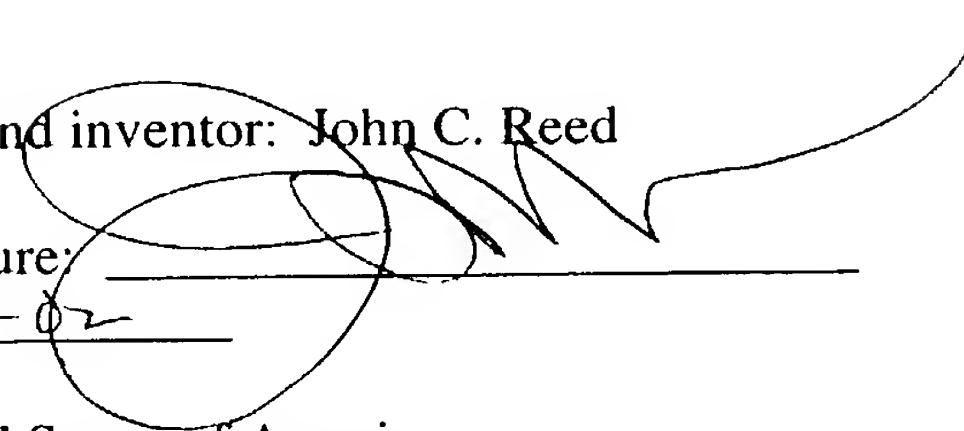
Full name of first inventor: Qihong Huang

Inventor's Signature: Qihong Huang  
Date: 6/19/02

Residence: United States of America  
Citizenship: Peoples Republic of China  
Mailing Address: 10944 Caminito Alvarez  
San Diego, California 92126 U.S.A.

Inventors: Huang, Reed, Deveraux, Maeda, and Hammock  
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Filed: January 7, 2002  
Page 3

Full name of second inventor: John C. Reed

Inventor's Signature: 

Date: 6-13-02

Residence: United States of America

Citizenship: United States of America

Mailing Address: 17044 El Camino Real, P.O. Box 137  
Rancho Santa Fe, California, 92067 U.S.A.

\*\*\*\*\*

Inventors: Huang, Reed, Deveraux, Maeda, and Hammock  
Serial No.: 10/041,859  
Filed: January 7, 2002  
Page 4

Full name of third inventor: Bruce D. Hammock

Inventor's Signature: Bruce D. Hammock  
Date: 6/24/02

Residence: United States of America  
Citizenship: United States of America  
Mailing Address: 3134 Chesapeake Bay Avenue  
Davis, California 95616 U.S.A.

Inventors: Huang, Reed, Deveraux, Maeda, and Hammock  
Serial No.: 10/041,859  
Filed: January 7, 2002  
Page 5

Full name of fourth inventor: Quinn L. Deveraux

Inventor s Signature: 

Date: 7/8/02

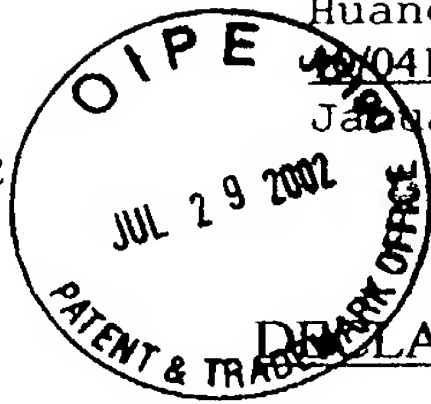
Residence: United States of America

Citizenship: United States of America

Mailing Address: 9270 Towne Centre Dr. #35  
San Diego, California 92121 U.S.A.

Inventors:  
Serial No.:  
Filed:  
Page 1 of 2

Huang, Reed, Deveraux, Maeda, and Hammock  
10/041,859  
January 7, 2002



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DECLARATION FOR PATENT APPLICATION

As the heir of the below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I am the legal heir and representative of Dr. Susumu Maeda, now deceased. I was his wife at the time that the invention was conceived and reduced to practice and at the time of his death. As such, I believe that I am entitled to sign on behalf of the deceased inventor under Title 37, Code of Federal Regulations § 1.42.

Based upon information and belief, I believe that Susumu Maeda along with Qihong Huang, John C. Reed, Quinn L. Deveraux, and Bruce D. Hammock, was an original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled INHIBITOR OF APOPTOSIS PROTEINS AND NUCLEIC ACIDS AND METHODS FOR MAKING AND USING THEM, the specification of which was filed on January 7, 2002 as Application Serial Number 10/041,859, Attorney Docket No. 087102-027 2537.

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I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

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Inventors: Huang, Reed, Deveraux, Maeda, and Hammock  
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Full name of inventor: Susumu Maeda  
 Full name of inventor's heir/representative: Hiroko Maeda

Representative's Signature: Hiroko Maeda  
 Date: 2-12-02

Residence: United States of America  
 Citizenship: Japan

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